

July 11, 2007

Update for Rulemaking on Court-Ordered Testing for Communicable Diseases (9 A.A.C. Chapter 6, Articles 8, 9, 10, and 11)

The Department has begun drafting rules regarding the testing for communicable diseases performed at the order of a court under A.R.S. §§ 8-341, 13-1210, 13-1415, or 32-3207. The Department is making these rules in 9 A.A.C. Chapter 6, Articles 8 through 11.

- Article 8, currently entitled “Assaults on Officers, Firefighters, or Emergency Medical Technicians,” will be renamed “Assaults on Public Safety Employees and Volunteers” and establish the notification procedures to be used after testing is completed pursuant to a court order issued under A.R.S. § 13-1210.
- Article 9 will be entitled “Health Professional Exposures” and establish the notification procedures to be used after testing is completed pursuant to a court order issued under A.R.S. § 32-3207.
- Article 10, recodified from Article 9, will be entitled “HIV-Related Testing and Notification” and include procedures regarding court-ordered testing for HIV-infection performed under A.R.S. §§ 8-341 or 13-1415. Article 10 also includes information regarding consent for HIV-related testing, anonymous HIV testing, and notification requirements.
- Article 11 will be entitled “STD-Related Testing and Notification” and include procedures regarding court-ordered testing for sexually transmitted diseases performed under A.R.S. § 13-1415. Article 11 also includes information regarding notification requirements for health care providers and local health agencies.

Drafts of Articles 8 through 11 are posted on the Department’s website and are available for informal public comment. Because many of the terms in these Articles are used in more than one Article in the Chapter, they have been placed in the definition Section in Article 1, which has also been posted in the website.

Stakeholders can communicate their comments, issues, and concerns to Ruthann Smejkal, Rules Analyst for the Department, by e-mail at smejkar@azdhs.gov, by phone at 602-364-3959, or by fax at 602-364-1150.